

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

**JEROME D.,**

Plaintiff

**V.**

**KILOLO KIJAKAZI,**  
Acting Comm'r of Social Security,

**Defendant**

**Case No. 7:21-cv-00396**

**By: Michael F. Urbanski**  
**Chief United States District Judge**

**ORDER**


This matter was referred to the Hon. Robert S. Ballou, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b)(1)(B), for proposed findings of fact and a recommended disposition. The magistrate judge filed a report and recommendation on February 8, 2023, recommending that plaintiff's motion for summary judgment be granted in part, the Commissioner's motion for summary judgment be denied, and the case be remanded for further consideration by the Administrative Law Judge. No objections to the report and recommendation have been filed, and the court is of the opinion that the report and recommendation should be adopted in its entirety.

As such, it is hereby **ORDERED** that:

1. The report and recommendation (ECF No. 19) is **ADOPTED** in its entirety;
2. Plaintiff's motion for summary judgment (ECF No. 15) is **GRANTED**;
3. Defendant's motion for summary judgment (ECF No. 17) is **DENIED**;

4. This case is **REMANDED** to the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g) for further consideration consistent with the report and recommendation; and
5. This matter is **DISMISSED** and **STRICKEN** from the active docket of the court.

Entered: 03-06-2023

A handwritten signature in black ink, appearing to read 'M. Urbanski', with a long horizontal flourish extending to the right.

Michael F. Urbanski  
Chief United States District Judge